

**BOARD MEETING MINUTES
4000 WEST BROAD STREET
RICHMOND, VIRGINIA**

MARCH 21, 2006, 9:00 a.m.

PRESENT: Sherry Smith Crumley, Chairman, C. Marshall Davison, William T. Greer, Jr. (left at 1:30 p.m.) , John W. Montgomery, Jr., Richard E. Railey, Jr., Ward Burton, C. T. Hill, Randy Kozuch (left at 1:30 p.m.), Charles S. Yates, Thomas A. Stroup; **ABSENT:** James W. Hazel, schedule conflict; **LEGAL COUNSEL,** Roger Chaffe, **INTERIM DIRECTOR:** W. Gerald Massengill; **SENIOR STAFF:** Colonel Mike Bise, Ray Davis, Bob Duncan, Gary Martel, Charlie Sledd, and David Whitehurst

Chairman Crumley called the meeting to order at 9:00 a.m. Mr. Yates read the agency's mission statement into the meeting minutes. Sergeant Chris Thomas led the Pledge of Allegiance to the Flag.

Chairman Crumley announced that the Board would hold its Closed Session during its lunch break.

1. Public Comments, Non-Agenda Items: Charles Blankenship, Roanoke, Virginia, requested the Board, on behalf of Virginia's sportsmen, to pass a resolution opposing the federal government's proposed sale of 309,000 acres of National Forest lands nationwide. In Virginia, 5,717 acres have been identified for sale. He stated that the lands were acquired from landowners that desired to have the lands managed as a national forest property, in trust for the public. Information provided indicated that comments are due to the U. S. Forest Service no later than March 28, 2006. He also asked the Board to contact key congressional leaders to request them to also oppose the sale of these public lands.

Paulette Albright, Montebello, Virginia acknowledged the accomplishments of the agency's Interim Director, Colonel Massengill. She also acknowledged the many accomplishments of the Board, and stated that it is now time to look to the future. She referenced the Vision 2003 document that was developed by staff at the Board's direction in 1993 and stated that many of those goals and objectives have not yet been met, and she asked that the Board now look to the future.

2. Recognition of Employees and Others: Colonel Mike Bise was introduced. Colonel Bise recognized and congratulated Jim Croft, Chris Thomas and Kenny Dove on their recent promotions to sergeant.

Senior Officer Frank Mundy was introduced and congratulated for receiving the Hall of Fame Award from the National Wild Turkey Federation (NWTF). The award was based on Senior Officer Mundy's work within the NWTF's JAKES program that focuses on youth.

Sergeant Chris Thomas was congratulated for receiving the NWTf's national Law Enforcement Officer of the Year award at the organization's recent national conference. Sergeant Thomas was recognized for his outstanding work as a game warden.

Chairman Crumley stated that Captain Ron Henry received the NWTf's Law Enforcement Officer of the year award four years ago.

Bob Duncan was recognized. He congratulated Mark Frank for receiving the Virginia State Chapter's NWTf Game Manager of the Year Award for his outstanding work in developing habitat for turkeys.

Larry Crane was congratulated for receiving the Virginia State Chapter of The Wildlife Society's 2006 Henry Mosby Award for his restoration work for white-tail deer, wild turkey, and black bear.

Board Member Ward Burton was recognized for receiving the Virginia State Chapter of The Wildlife Society's A. Willis Robertson Award for his significant conservation work in Virginia through the non-profit Ward Burton Wildlife Foundation. The Foundation promotes and supports environmental education in Virginia's schools, works with state and federal agencies to promote habitat conservation through incentive programs, and produces working models on private lands to demonstrate the importance of land stewardship.

Mary Ann Saunders, Assistant to the City Manager for the City of Chesapeake was introduced. Ms. Saunders, on behalf of Chesapeake City's Mayor Dalton Edge, re-enacted the presentation of the City's first Environmental Stewardship Award to the Department of Game and Inland Fisheries for acquisition of the Cavalier Tract, through partnering with the U. S. Fish and Wildlife Service, The Nature Conservancy, and International Paper. The award was presented to Todd Englemeyer for the agency at a recent awards luncheon held in Chesapeake.

Ms. Saunders announced that the old Route 17 equestrian, bike and birding trail will be opened on April 18 and members of the Board were invited to the ceremony. The Department also owns a wildlife management area that is adjacent to the trail.

3. Minutes of Meeting. Draft minutes of the January 17, 2006 meeting were distributed in briefing materials and have been posted on the Web. Chairman Crumley called for any additions or corrections to the minutes. Mr. Montgomery noted a typographical error on page 6 of the minutes and asked that it be corrected. **Mr. Davison moved, seconded by Mr. Hill, passed unanimously in a show of hands vote, to approve the minutes as corrected. Ayes: Hill, Yates, Greer, Railey, Montgomery, Burton, Crumley, Kozuch, Davison, and Stroup.**

4. National Hunting Initiatives. Chairman Crumley introduced Aaron Hobbs, State Caucus Manager for the National Assembly of Sportsmen's Caucuses in Washington, D.C. Mr. Hobbs presented an overview of the work of the Caucus on national hunting initiatives, and partnering opportunities with the organization. Mr. Hobbs stated that he works with state legislative sportsmen caucuses on hunting and fishing initiatives, along with conservation and sportsmen organizations and other constituent groups. He commended Virginia's Legislative Sportsmen

Caucus that meets weekly during the General Assembly Session to discuss and work on sportsmen initiatives. The Caucus provides an opportunity for legislators to identify themselves as sportsmen and to show others that they are interested in sportsmen initiatives and needs.

Mr. Hobbs stated that an initiative of the Caucus is “No Net Loss of Hunting Land” that mandates that when an agency managing state-owned public lands closes a public area to hunting, an equal amount of land will be opened in another area. The Caucus also works on youth hunting and fishing initiatives, and works with state legislative bodies to protect funding for conservation and sportsmen issues. They also have worked with state legislators to promote a youth apprentice hunting license that allows one to experience hunting, when accompanied by a licensed hunter, without first completing a hunter education course.

5. Committee Reports: Audit Committee: Mr. Montgomery reported that the Audit Committee met March 13 to review December, January and February invoices. Several items were identified for further review. The 10% review of all charges did not identify any instances of non-compliance.

Nominating Committee: Mr. Davison reported that the Nominating Committee met and selected a slate of officers that conforms with the requirements of the Board’s Governance Manuel. The Board will elect its new officers at its June 20, 2006 meeting. New officers assume responsibilities on July 1 and the term of office is for one year. The Committee nominated John Montgomery for the Chair’s position and Sherry Crumley for the vice-chair’s position. Chairman Crumley called for additional nominations from the floor. As there were none, **Mr. Railey moved, seconded by Mr. Hill, passed unanimously in a show of hands vote, that the Board accept the slate of officers as presented. Ayes: Railey, Hill, Davison, Montgomery, Greer, Crumley, Kozuch, Yates, Stroup, and Burton.**

Policy Committee: Mr. Yates reported that the Policy Committee met on March 2, 2006 and agreed to advance draft policies to the Board for its consideration. Copies of the draft policies were distributed in meeting briefing materials. In addition to General Policies, policies are in the areas of Wildlife Diversity, Recreation, Education, and Administration.

David Whitehurst was requested to review the following 12 policies: (1) Agency Outreach, (2) Comprehensive Management of Ecosystems, Habitats, and Fish and Wildlife Populations, (3) Conservation of Endangered and Threatened Species, (4) Evaluation of and Response to the Changing Landscape of Virginia, (5) Wildlife- and Boat-Related Recreation, (6) Conservation and Safety Education, (7) Human Resource Management, (8) Strategic Planning, (9) Agreements with Individuals and Entities, (10) Department Infrastructure, (11) Financial Management, and (12) Adoption of Policy.

Mr. Yates moved, seconded by Mr. Davison, passed unanimously in a show of hands vote that the Board adopt Board policies (listed below) as presented by the Committee. Ayes: Yates, Davison, Greer, Montgomery, Railey, Burton, Crumly, Hill, Kozuch, and Stroup.

Mr. Yates, moved, seconded by Mr. Davison, passed unanimously in a show of hands vote that the Board rescind all Board policies enacted prior to December 14, 2005. Ayes: Yates, Davison, Greer, Montgomery, Railey, Burton, Crumley, Hill, Kozuch, and Stroup.

Title: Agency Outreach

Area of Concern: General Policies

Authority: Code of Virginia § 29.1-103 and § 29.1-109

Versions: 03212006

Adoption Date: 03212006

Effective Date:

Review Date:

Revision Date:

Statement of Purpose: The purpose of this policy is to provide guidance to the Department of Game and Inland Fisheries on the promotion of Department programs.

Policy: It is the policy of the Board of Game and Inland Fisheries that the Department proactively outreaches to its customers and potential customers by providing information on the benefits of Agency programs. The Board directs the Department to seek opportunities to educate the public regarding programs addressing wildlife and fisheries management, boating and boating safety, and law enforcement activities.

Title: Comprehensive Management of Ecosystems, Habitats, and Fish and Wildlife Populations

Area of Concern: Wildlife Diversity

Authority: Code of Virginia § 29.1-103

Version: 03212006

Adoption Date: 03212006

Effective Date:

Review Date:

Revision Date:

Statement of Purpose: The Board of Game and Inland Fisheries is authorized by the Code of Virginia to exercise any powers deemed appropriate to

conserve, protect, replenish, etc., fish and wildlife in the Commonwealth. The mission of the Department of Game and Inland Fisheries recognizes the collective responsibility to manage Virginia's wildlife and inland fish to maintain optimum populations of all species to serve the needs of the Commonwealth. The Board recognizes that habitat impacts via alteration, degradation, and loss are the most significant threats facing wildlife populations across Virginia. The purpose of this policy is to affirm the Board's commitment to fostering a comprehensive approach to wildlife and habitat management and conservation in Virginia that assures the long-term viability of ecosystems, habitats, and fish and wildlife populations.

Policy:

It is the policy of the Board of Game and Inland Fisheries that the Department:

- employs ecosystem-based principles, policies, and procedures for wildlife conservation that will result in a healthy balance of wildlife populations and habitat resources;
- employs principles, policies, and procedures for wildlife habitat conservation that will result in a landscape of habitats of appropriate quality, quantity, and assemblage to support wildlife populations in Virginia; and
- utilizes a comprehensive approach to wildlife conservation in Virginia that values and prioritizes the needs of native and naturalized wildlife and associated habitats, that provides for appropriate balance of all wildlife populations and habitats, that identifies appropriate proactive responses to invasive exotic species and wildlife diseases, and that seeks adequate compensation for the illegal taking of wildlife.

Title:

Conservation of Endangered and Threatened Species

Area of Concern:

Wildlife Diversity

Authority:

Code of Virginia § 29.1-103, Article 6 of Title 29.1

Version:

03212006

Adoption Date:

03212006

Effective Date:

Review Date:

Revision Date:

Statement of Purpose: The mission of the Department of Game and Inland Fisheries recognizes the collective responsibility to manage Virginia's wildlife and inland fish to maintain optimum populations of all species to serve the needs of the Commonwealth. The Board of Game and Inland Fisheries is authorized by the Code of Virginia to exercise any powers deemed appropriate to conserve, protect, replenish, etc., fish and wildlife in the Commonwealth. Additionally, the Board is authorized to declare species as threatened or endangered and to permit the taking, transportation, exportation, and possession of those species so designated. The Board recognizes that the recovery of species that have declined in numbers to the point of warranting listing is considerably more expensive than maintaining balanced and healthy wildlife populations. The purpose of this policy is to affirm the Board's commitment to keeping common species common and recovering threatened and endangered wildlife throughout the Commonwealth.

Policy: It is the policy of the Board of Game and Inland Fisheries that the Department employs a proactive approach to recovering species already listed as threatened and endangered in the Commonwealth, including conservation actions as outlined in the Virginia Wildlife Action Plan, be employed to address declining populations and to minimize the number of species recommended for listing. All permits related to threatened and endangered species shall be directly related to the conservation and recovery of endangered and threatened species in that they are of scientific, educational, or zoological purposes (including propagation for recovery).

Title: Evaluation of and Response to the Changing Landscape of Virginia

Area of Concern: Wildlife Diversity

Authority: Code of Virginia § 29.1-103

Version: 03212006

Adoption Date: 03212006

Effective Date:

Review Date:

Revision Date:

Statement of Purpose: The Board of Game and Inland Fisheries is authorized by the Code of Virginia to exercise any powers deemed appropriate to

conserve, protect, replenish, etc., fish and wildlife in the Commonwealth. The mission of the Department of Game and Inland Fisheries recognizes the collective responsibility to manage Virginia's wildlife and inland fish to maintain optimum populations of all species to serve the needs of the Commonwealth. Furthermore, the Board recognizes that land management activities, including forestry, municipal development, agriculture, and industrial development, impact wildlife populations and the habitats that support them, as outlined in the Virginia Wildlife Action Plan. The purpose of this policy is to affirm the Board's commitment to a proactive approach for monitoring, evaluating and responding to the changing landscape of Virginia and the corresponding impacts to wildlife and habitat resources.

Policy: It is the policy of the Board of Game and Inland Fisheries that the Department employs a proactive approach to the evaluation and assessment of the impacts of the changing landscape of Virginia, making every reasonable effort to address issues and identify solutions through, but not limited to, permitting processes; interagency coordination; periodic assessments of the state and condition of wildlife populations and the habitats that support them, ecosystems, and threats to these resources.

Title: Wildlife- and Boat-Related Recreation

Area of Concern: Recreation

Authority: Code of Virginia § 29.1-103 and § 29.1-106

Version: 03212006

Adoption Date: 03212006

Effective Date:

Review Date:

Revision Date:

Statement of Purpose: The Board of Game and Inland Fisheries is authorized by the Code of Virginia to exercise any powers deemed appropriate to conserve, protect, replenish, etc., fish and wildlife in the Commonwealth. The mission of the Department of Game and Inland Fisheries recognizes the collective responsibility of the Board and the Department to provide opportunity for all to enjoy wildlife, inland fish, boating and related outdoor recreation. The Board acknowledges that wildlife-related recreation (including hunting, fishing, and wildlife viewing) and boating are important

for maintaining wildlife populations and for increasing awareness of, and appreciation for, natural resources. Additionally, the Board recognizes that hunters and anglers, in particular, have had a long history of contributing to the restoration and conservation of wildlife in the Commonwealth. The purpose of this policy is to affirm the Board's commitment to a diverse array of wildlife- and boating-related recreational opportunities to Virginians and visitors that assures their continued availability.

Policy: It is the policy of the Board of Game and Inland Fisheries that the Department:

- Directly provides a wide array of hunting, fishing, wildlife viewing, boating, and related outdoor recreational opportunities (including shooting sports) on properties under its control;
- Collaborates with a variety of partners across the Commonwealth to provide such opportunities on publicly- or privately-owned lands and waters, particularly in those areas with little public access;
- Identifies and presents opportunities to secure access to lands and waters through acquisition, easement, agreement, or other means, to support these recreational programs; and
- Encourages access to recreational opportunities by minority groups around Virginia.

Title: Conservation and Safety Education

Area of Concern: Education

Authority: Code of Virginia § 29.1-103

Version: 03212006

Adoption Date: 03212006

Effective Date:

Review Date:

Revision Date:

Statement of Purpose: The Board of Game and Inland Fisheries supports responsible management, use, and enjoyment of our natural resources by current and future generations. The Board further supports the use of sound educational models, best practices, and guidelines for excellence in conservation and safety education. The purpose of this policy is to affirm the Board's commitment to comprehensive conservation and safety education that results in an informed and

involved citizenry critical to the effective management of Virginia's wildlife resources.

Policy:

It is the policy of the Board of Game and Inland Fisheries that the Department develops and implements conservation and safety education programs that include:

- Conservation of wildlife and habitats,
- Outdoor recreation,
- Outdoor safety; and
- Outdoor ethics.

Further, the Board encourages the establishment of appropriate partnerships for the development and delivery of these programs.

Title:

Human Resource Management

Area of Concern:

Administration

Authority:

Code of Virginia § 2.2-2900, § 29.1-103, § 29.1-109

Version:

03212006

Adoption Date:

03212006

Effective Date:

Review Date:

Revision Date:

Statement of Purpose:

The purpose of this policy is to direct the Department to implement a system of human resource management based on merit principles and objective methods that are consistent with the *Virginia Personnel Act*, the Governor's Executive Order on Equal Employment Opportunity, and related law and policy.

Employment Policy:

All appointments, promotions, and transfers to and employment in the Department's salaried positions shall be based on merit and fitness, to be ascertained by the competitive rating of the job-related qualifications of applicants.

Equal Employment Opportunity Policy:

All aspects of the Department's human resource management shall be conducted without regard to race, color, religion, gender, age, national origin, disability, or political affiliation according to the Governor's Executive Order on Equal Employment Opportunity and related law and policy. This policy shall apply to full and part-

time classified, probationary, “at will,” and wage employees as well as applicants for employment.

Recruitment Policy:

The Department is directed to recruit externally, in a manner consistent with law and policy, in those instances where the race or sex characteristics of its workforce compare unfavorably to the relevant labor market from which it recruits; or as is necessary to employ suitably qualified employees for its authorized positions.

Compensation Policy:

The Department is directed to establish and maintain a Salary Administration Plan in order to fairly and equitably administer the compensation practices and tools delegated to it by law and policy. Among its objectives, the Department’s Salary Administration Plan will serve to:

- 1) link job performance and the accomplishment of agency goals and objectives with employee compensation;
- 2) manage responsibly the revenues entrusted to the Department for employee salaries and benefits; and
- 3) recruit and retain the human resources necessary to accomplish the agency’s mission.

The Department shall also recognize in its Salary Administration Plan those compensation practices and tools the authorizations for which reside exclusively with the Legislature and Governor, such as performance increases and salary structure adjustments. The Department may not implement performance increases or structure adjustments except as authorized by the Legislature and Governor; nor mimic the effect of such increases and adjustment through the inappropriate use of the compensation practices and tools delegated to it.

Safety:

The Department shall ensure that the health, safety, and protection of its employees, volunteers, and participants are addressed in all of the Department’s programs.

Training:

The Department shall evaluate the continuing education needs of its employees and provide continuing education opportunities to ensure that they have appropriate knowledge, skills, and abilities to effectively perform their job responsibilities.

Title:

Strategic Planning

Area of Concern:

Administration

Authority: Code of Virginia § 29.1-103 and § 2.2-5510

Version: 03212006

Adoption Date: 03212006

Effective Date:

Review Date:

Revision Date:

Statement of Purpose: The Board is responsible for the supervision of the Department of Game and Inland Fisheries (Department). The Board's governance manual places the responsibility for the development, maintenance, and execution of strategic plans and objectives with the Board. The Virginia Government Performance and Results Act requires that the Department develop and maintain a strategic plan for its operations. The Act specifies the components of the plan, to include a statement of the mission, goals, strategies and performance measures of the Department and that these be linked to long-term objectives; identification of populations served by programs of the Department and expected changes in those populations; and input, output and outcome measures for the Department's programs. The purpose of this policy is to affirm the Board's commitment to strategic planning and outline its expectations of the Department's strategic planning effort.

Policy: It is the policy of the Board of Game and Inland Fisheries that the Department develops a strategic plan in conjunction with the Board's Education, Planning and Outreach Committee. The Department's strategic plan shall provide an annual systematic clarification and documentation of its strategic objectives and course of action. The strategic plan shall address goals, actions and performance measurements in compliance with the Virginia Government Performance and Results Act and related directives.

The Department shall, at least twice a year, present analyses of issues that may provide opportunities or threats to the fulfillment of the Department's mission or the attainment of stated goals. Issue analysis shall include potential impacts on Department programs, fiscal impacts, and recommendations for consideration by the Board.

Title: Agreements with Individuals and Entities

Area of Concern: Administration

Authority: Code of Virginia § 29.1-103, § 29.1-104, and § 29.1-105

Version: 03212006

Adoption Date: 03212006

Effective Date:

Review Date:

Revision Date:

Statement of Purpose: The purpose of this policy is to provide guidance on agreements between DGIF and other individuals or entities.

The Executive Director of the Virginia Department of Game and Inland Fisheries is authorized to enter into agreements with individuals and entities regarding the commercial use of DGIF facilities. The form of any such agreement shall be approved by the Attorney General's office and shall be in compliance with the Code of Virginia and applicable state and federal laws and regulations. The Executive Director or his designee shall establish a fee schedule for individuals or other entities use of DGIF facilities and revise agreements and fees as necessary.

Title: Department Infrastructure

Area of Concern: Administration

Authority: Code of Virginia § 29.1-103

Version: 03212006

Adoption Date: 03212006

Effective Date:

Review Date:

Revision Date:

Statement of Purpose: The Department holds significant assets in the form of lands, waters, buildings and improvements for the purpose of "game and fish refuges, preserves or public shooting and fishing" and "for use as public landings, wharves, or docks." In addition, the Department holds administrative and other buildings and facilities necessary for the efficient delivery of mission related services to the public. These lands, waters, buildings, and other facilities are routinely used by the public and Department employees. The

purpose of this policy is to provide guidance on the naming, maintenance, and enhancement of Department facilities.

Policy:

It is the policy of the Board of Game and Inland Fisheries that the Department shall maintain lands, waters, buildings, and other facilities:

- To provide appropriate levels of access and control to obtain a proper balance between public use and the protection of wildlife and wildlife habitats;
- To address the safety, health, and protection of the public and employees during the use or occupation of lands, waters, buildings, or other facilities;
- To provide cost-effective services to the public; and
- To mark and sign boundaries clearly and provide adequate on-site information for the safe, legal and orderly use of facilities by the public.

The names selected for state facilities acquired or put into service shall reflect, as nearly as possible, the location of the facility. Notwithstanding the above, the Board reserves the authority, upon reasonable justification, to name the facilities differently.

Title:

Financial Management

Area of Concern:

Administration

Authority:

Code of Virginia § 29.1-103

Version:

03212006

Adoption Date:

03212006

Effective Date:

Review Date:

Revision Date:

Statement of Purpose:

The purpose of this policy is to ensure the long-term financial stability of the Department of Game and Inland Fisheries.

Policy:

It is the policy of the Board of Game and Inland Fisheries that the Executive Director shall:

- Ensure that all expenditures are reasonable and based on business needs;
- Ensure that DGIF's assets are accounted for, adequately maintained, and protected from unnecessary risk;

- Present to the Board for approval an annual budget that details projected revenues and expenditures. Projected expenditures shall not exceed projected revenues within the budget without sufficient cash reserves nor exceed appropriations approved by the General Assembly;
- Shall report quarterly the status of revenue collections and expenditures; and
- Provide yearly a five-year revenue and expenditure forecast to the Board (including an analysis and recommendations for any adjustment in license and permit fees or recommendations for alternative funding).

Title: Adoption of Policy

Area of Concern: Administration

Authority: Code of Virginia § 29.1-107

Version: 03212006

Adoption Date: 03212006

Effective Date:

Review Date:

Revision Date:

Statement of Purpose: The purpose of this policy is to provide a structured and standard procedure that will be followed in the creation, implementation, and review of policies adopted by the Board.

Policy: The Board will convey its organizational values and perspectives to the Department with the development of broad policies that are founded on the principles of openness, integrity, and accountability. The Board's focus will be on long-term goals, expressed as "Ends" statements, that address the Department's mission, and not on the operational approaches or "means" of attaining those goals.

To ensure openness and consistency all policies will be documented in writing and shall include an adoption date and an effective date and follow the attached template. Each policy will occur in one of the following categories:

1. General
2. Wildlife Diversity

3. Recreation
4. Education and Safety
5. Administration

Title:

Area of Concern:

Authority:

Version:

Adoption Date:

Effective Date:

Review Date:

Revision Date:

Statement of Purpose:

Policy:

Search Committee: Mr. Montgomery reported that the Search Committee has notified all applicants for the Director's position that the Committee was extending its process. Applicants were encouraged to remain interested in the vacancy. Additionally, Mr. Montgomery noted for the record that Dr. Greer has agreed to assume the chairmanship of the Search Committee. A revised recruitment schedule will be presented to the Board at a future meeting. Colonel Massengill has agreed to extend his employment contract on a month-by-month basis after May 24, 2006.

6. Visitor Fees at Fish Hatcheries: Gary Martel presented an amendment to **4 VAC 15-320-100** to rescind the \$1.00 visitor fee being charged at state-owned fish hatcheries. This proposed change was approved for advertisement for public comment by the Board at its January 17, 2006 meeting. A majority of the comments heard support this regulation amendment.

Chairman Crumley called for Board and/or public comments and there were none.

Mr. Hill moved, seconded by Dr. Greer, passed unanimously in a show of hands vote that the Board amend 4 VAC 15-320-100 to rescind the \$1.00 visitor fee charged at all state-owned fish hatcheries, effective May 17, 2006. Ayes: Hill, Greer, Davison, Montgomery, Railey, Burton, Crumley, Yates, Stroup, and Kozuch.

7. Bush River Watershed Update: James Adams and Wade Biddix, Assistant State Conservationist for Water Resources with the Natural Resources Conservation Service, introduced a request to the Board to approve the Closeout Agreement for the Bush River Watershed project in Prince Edward County. This project has successfully concluded and all project partners are being requested to approve the closeout agreement. Project partners are the

Board of Game and Inland Fisheries, Prince Edward County and the Piedmont Soil and Water Conservation District. Staff recommended that the Board approve the Closeout Agreement. Prince Edward County and the Piedmont Soil and Water Conservation District have already taken action to closeout this project.

Mr. Montgomery moved, seconded by Mr. Burton, passed unanimously in a show of hands vote that the Board approve the Bush River Closeout Agreement and to authorize the Interim Director to execute the agreement as presented on behalf of the Board. Ayes: Montgomery, Burton, Davison, Greer, Railey, Crumley, Hill, Kozuch, Yates, and Stroup.

At 10:45 a.m. Chairman Crumley called for a break and the meeting reconvened at 10:55 a.m.

8. Training Academy: Colonel Mike Bise was requested to present an update on the Department's Training Academy. The Training Academy, which is fully certified by the Department of Criminal Justice Services (DCJS), is a new initiative with the Department. Its second class recently graduated, and recruitment is now underway for a third class. Game wardens are fully certified law enforcement officers. Prior to the Department's training academy, game wardens were trained in a regional criminal justice academy. Upon completion of the regional academy training, game wardens were required to spend a significant amount of additional time, up to 12 weeks, in the field receiving needed specialized training.

Colonel Bise presented an overview of the costs that are associated with the Department's Training Academy, noting that the Department would still incur training costs if recruits were trained in a regional criminal justice facility. He added that staff time constitutes a majority of the costs associated with the academy, but efforts are underway to make the Academy more efficient without impacting officers' certification. Considerations are to shorten the course length to approximately 32 weeks, to reduce the number of instructors in the classroom and instructor time by 20 to 25%, to shorten some of the offered curriculum, and to seek more economical housing and meal costs. The Agency is also focusing its recruitment efforts on officers that are already DCJS certified, thereby shortening the time needed to meet specific training requirements for game wardens. It is felt that it is more cost effective to continue with the Department's training academy. Staff also feels that the Agency and the recruits benefit from receiving training in-house. Staff recommended continuing the in-house training academy, with the identified efficiencies implemented.

The Department's Academy has now graduated 35 game wardens, and it is felt that these officers are better trained. The Agency is currently recruiting for 20 positions, with the next class scheduled to begin training in early December 2006. It is felt that the Agency will need to graduate 15 to 20 students a year to sustain the current game warden position level. Additionally, approximately 25% of the current game warden force is or will be retirement eligible in three years. It is recognized that the current staffing level for game wardens is inadequate to provide the coverage needed in local jurisdictions, but staffing is restricted to available funding.

Staff was requested to develop a five-year plan that looks at staffing needs for game wardens, and to provide a follow-up report to the Board at a future meeting.

9. Review of Regulatory Process: Charlie Sledd presented an overview of the Board's current process for conducting regulatory reviews and recommended that the Board continue to address all regulations (wildlife, fisheries, wildlife diversity and boating) during a single review process and that the Board return to a two-year review cycle. Staff also recommended more specificity of initial regulation issues, holding the Board meeting to hear regulation proposals one month earlier; to focus input with constituent groups, local government officials, and holding public meetings when requested. Staff feels that the statewide public input meetings are ineffective. For the 2007 regulatory review cycle, staff recommended that the Board receive preliminary recommendations at a March meeting. Regulation proposals will be approved for advertisement at a July meeting, and final action will be taken on the advertised proposals at an October 2007 meeting. The effective date for regulation amendments for fisheries and wildlife diversity will be January 1, 2008; March 1, 2008 for boating and July 1, 2008 for wildlife hunting and trapping. The Board concurred with staff recommendations.

After Board discussion, Chairman Crumley called for public comment.

Melvin Jacks, Warsaw, Virginia spoke in opposition to an electronic system.

Dean Miller, Colonel Heights, Virginia encouraged public attendance and participation at meetings.

10. Legislative Update: Charlie Sledd presented a legislative update on the 2006 General Assembly session. He reported that 36 bills were introduced that impacted the Department. Thirteen bills passed, and eight were continued to 2007. A resolution (HJ 361) was introduced celebrating the life of former Board member Jack T. Shoosmith. HJ 261 was introduced commending game wardens for the assistance they provided with Hurricane Katrina recovery efforts in the Gulf Coast.

Colonel Massengill thanked staff for the work performed during the legislative session. Additionally, he thanked Ed Rhodes for his attention to Department-related legislation and for the assistance he provided. He also recognized and thanked Board members for adjusting their schedules to allow them to attend and participate in the Sportsmen Caucus meetings.

Ed Rhodes, Richmond, Virginia, representing the Smith Mountain Lake Association, thanked the Board and the Department for their efforts to enact legislation promoting boating safety on the lake.

Prior to recessing for lunch at 12:15 p.m., **Mr. Stroup moved, seconded by Mr. Railey , passed unanimously in a show of hands vote, that the Board go into a closed meeting pursuant to § 2.2-3711.A.3 of the Code of Virginia for discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property with respect to a status report on a previously approved property acquisition in the County of Louisa, and a report on a possible property acquisition of bat habitat in Tazewell County, and further, pursuant to § 2.2-3711.A.1 of the Code of Virginia for discussion or consideration of employment, assignment, appointment, promotion, performance,**

demotion, salaries, disciplining, or resignation of specific public officers, appointees or employees of the Department of Game and Inland Fisheries specifically regarding the performance of the interim director. Ayes: Stroup, Railey, Davison, Greer, Montgomery, Burton, Crumley, Hill, Kozuch, and Yates.

In open session at 1:50 p.m., **Mr. Stroup certified, seconded by Mr. Davison, passed unanimously in a show of hands vote, that whereas the Board of Game and Inland Fisheries had convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act, and whereas § 2.2-3712.D of the Code requires a certification by this Board that such closed meeting was conducted in conformity with Virginia law, now, therefore, be it resolved that the Board of Game and Inland Fisheries hereby certifies that (i) to the best of each member's knowledge, only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applied, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board. Ayes: Stroup, Davison, Railey, Montgomery, Burton, Crumley, Hill, and Yates.**

12. Financial Report: Ray Davis presented a financial report. Staff continues to monitor how electronic license sales impact the agency's revenue balances, noting that revenues are now collected more rapidly than they are with the manual system. The Department received a \$6 million treasury loan to fund the Featherfin property acquisition. The sale of the State Waterfowl Stamp generated \$160,000.

Expenditures are higher than last year due primarily to the acquisition of the Featherfin and Cavalier tracts of land. Operating costs are higher due to 14 additional positions and increased salary and benefits costs. Mr. Davis noted that the Agency has \$1 million less than budgeted for this time of the year. Gasoline costs remain higher than budgeted. Because some supplies and materials have not been purchased, the Department is 15% under budget for the year.

The Board requested a five-year report on license sales trends for fishing and hunting and asked if license sales trends are available on a nationwide basis. The Board asked staff if it could identify the origin of at least 75% of our out-of-state license buyers. The Board asked the Finance, Audit and Compliance Committee to review this information if it is available.

12. Point of Sale Discussion: Virgil Kopf reported that the Secretary of Natural Resources has authorized the Department to fully implement automation of its license delivery system since it has met its criteria for statewide service (90% of the state covered within a 30-minute drive time and an agent satisfaction survey will be conducted of agents that have been automated for at least six months). Currently, coverage is not yet available in the Grundy area.

With automation, a license will be good for one year from the date of purchase. The big game license and national forest stamps are not included. Additionally, Code requires the Board to create a sportsman license that will include the hunting, big game, archery, muzzleloader, fishing and the trout license. This license will be good for one year from the date of purchase, except for the big game license. Staff was requested to provide additional information to the Board on the

term of the big game license. Stationery and floating blind licenses are excluded from automation because of enabling legislation language.

Mr. Montgomery moved, seconded by Mr. Stroup, passed in a show of hands vote, to authorize the Department to proceed with an automated point of sale license delivery system, except for the stationery and floating blind licenses, effective July 1, 2006. Ayes: Montgomery, Stroup, Railey, Burton, Crumley, Hill, and Yates; Nays: Davison.

The Board discussed the sportsman license that will include privileges for hunting, big game hunting, archery, muzzleloader, fishing and trout fishing and the fee for the license. State Code requires the Board to establish a sportsman license once the Department automates its license delivery system. The sportsman license does not include the crossbow license and the national forest and state waterfowl stamp. If purchased separately, the six included privileges will cost \$72.00 plus the \$0.50 agent fee for each privilege. With the sportsman license, only one agent fee will apply. Thus, staff recommended that the Board establish a fee of \$72.00 for the sportsman license, plus the agent fee.

Mr. Hill moved, seconded by Mr. Burton, passed unanimously in a show of hands vote, to adopt the price of the sportsman hunting and fishing license at \$72.00 for the included six privileges, effective July 1, 2006, pursuant to Virginia Code § 29.1-310.1. The sportsman hunting and fishing license shall constitute a single privilege. Ayes: Hill, Davison, Montgomery, Railey, Burton, Crumley, Yates, and Stroup.

The Board discussed the current license agent fee of \$0.50 per privilege. With automation, the Board has been granted the authority to increase this fee. Staff recommended that the Board increase license agent fees to \$1.00 per privilege, which will be added to the overall cost for the license/privilege.

Mr. Montgomery moved, seconded by Mr. Hill, passed in a show of hands vote to establish the electronic license agent fee at \$1.00 per privilege, issued through the automated license delivery system, effective July 1, 2006. Ayes: Montgomery, Hill, Davison, Crumley, Burton, Railey, Stroup, and Yates.

The Board discussed the current convenience fees charged to users electing to purchase privileges on line (\$2.00) or via telephone (\$3.95). Staff recommended the removal of these fees and the Board concurred.

13. Chairman's Remarks: Chairman Crumley memorialized Bob Gooch for his many contributions through his writing to conservation and sportsmen interests.

A Fox news clip on the Department's Becoming an Outdoor's Woman in the outdoors pheasant hunting workshop was shown and Ms. Crumley recognized outdoor education staff Bobby Mawyer, Karen Holson, and Jimmy Mootz.

Chairman Crumley commented on the benefits staff gained from attending the recent National Wild Turkey Federation's convention. Virginia's Find Game initiative was well received and

appreciated. Department staff and the Board chair attended seminars and workshops on topics including law enforcement, technical committees and protecting our hunting heritage. The state also receives Superfund dollars, which is an NWTF initiative, for its programs. For the year 2006, DGIF will directly and through partnerships, receive \$128,000.

Ms. Crumley distributed the following resolution opposing the sale of National Forest lands.

RESOLUTION OF THE BOARD OF GAME AND INLAND FISHERIES:

Whereas, the mission of the Virginia Department of Game and Inland Fisheries includes the following:

To provide opportunity for all to enjoy wildlife, inland fish, boating and related outdoor recreation; and

Whereas, these activities are enjoyed in the Jefferson and George Washington National Forests in the Commonwealth of Virginia, and

Whereas, we, the Board of Game and Inland Fisheries are opposed to the sale of any National Forest lands in the Commonwealth of Virginia, or any other state, as this land provides outdoor opportunities for a wide array of citizens;

We, the Board of Game and Inland Fisheries, feel that the revenues generated by the sale of 5,717 acres of our National Forests, under the Secure Rural Schools Land Sales Initiative, could never be enough to compensate the citizens of the Commonwealth for the loss of this land and the opportunities that they are afforded on this land.

Resolution approved March 21, 2006 and signed by all members present.

Mr. Railey moved, seconded by Mr. Hill, passed unanimously in a show of hands vote, to approve the resolution in opposition to the sale of National Forest lands. Ayes: Railey, Hill, Davison, Montgomery, Crumley, Burton, Yates, and Stroup.

Chairman Crumley made the following committee appointments: **Finance, Audit and Compliance Committee:** C. T. Hill, Chairman, Tom Stroup, Marshall Davison, Sherry Crumley, and Billy Greer; **Education, Planning and Outreach Committee:** Sherry Crumley, Chairman, Jimmy Hazel, Ward Burton, and Marshall Davison; **Wildlife and Boat Committee:** Jimmy Hazel, Chairman, Ward Burton, Billy Greer, and Richard Railey; **Search Committee:** John Montgomery/Billy Greer, Chairman, Jimmy Hazel, Charles Yates, Sherry Crumley, Randy Kozuch, and C. T. Hill; **Nominating Committee:** Tom Stroup, Chairman, Charles Yates, Richard Railey, and Randy Kozuch. Committee Chairs were encouraged to establish standing dates and times for committee meetings.

14. Director's Report: Colonel Massengill announced that the Department is proceeding with its agreement with the Virginia Association of Broadcasters, which provides an opportunity for the agency to showcase its programs and opportunities. Board member Ward Burton is participating in the PSA spot for this year. These announcements will air statewide on television and radio stations, beginning in April.

Becky Wajda provided an overview of the Teaming with Wildlife initiative that provides funding to state wildlife agencies for conservation aimed at keeping common species common. This is a result of the national Teaming with Wildlife coalition. Virginia has successfully recruited 80 groups to join the coalition, and staff recently participated in the annual Fly-In in Washington and discussed State Wildlife Grants programs, the Wildlife Action Plan and the need for funding with Virginia's Congressional delegation. The Coalition is committed to working for long term, permanent funding with members of Congress. They are also working to increase their membership to 5000 organizations and groups nationally. Virginia is hopeful that it will reach its partners goal. Staff also asked the Board to assist in this effort to get new members in the coalition. The Board asked Ms. Wajda to follow-up with the request for its help.

Ray Fernald provided an update on efforts to eradicate zebra mussels, a non-native, invasive species from the Millbrook Quarry in Prince William County. The treatment has been completed and monitoring will continue to determine its effectiveness. The eradication effort cost \$365,069, which does not include the follow-up water quality monitoring. Funding for the effort came from the Wildlife Habitat Incentive Program grant from the Virginia Office of the Natural Resources Conservation Service of the U. S. Department of Agriculture and through a State Wildlife Grant from the U. S. Fish and Wildlife Service. Fairfax Water, Prince William County, and the City of Manassas, and Dominion Virginia Power contributed the matching funds required to facilitate receipt of the federal grants. If this eradication effort is confirmed successful, it will be the first documented eradication of the species from a large open water system. Potassium chloride was the treatment medium used, and it does not pose any environmental threat.

Ray Fernald presented a briefing on the Highland New Wind Development Project and wind energy issues. Wind energy is a popular initiative. The Highland New Wind Development Project has to be approved by the State Corporation Commission. The Department of Environmental Quality (DEQ) will coordinate the environmental review for the project, and this Department will submit its comments through DEQ. Four consultant studies have been submitted on potential impacts to bats and birds. DGIF has submitted extensive comments on the proposed project along with the Departments of Conservation and Recreation, Mines, Minerals and Energy and Historic Resources. DEQ has suspended its environmental review pending resolution of the identified issues. The State Corporation Commission is also delaying work on the application until the environmental issues are resolved.

The Department has concern for the project because the mountain ridge top is known to be a major migratory route for bats and birds. The Department has not opposed the project, but it feels that more information is needed before it is allowed to proceed.

James Adams was recognized. He shared information with the Board on dedication ceremonies being planned by the Department. The Featherfin dedication is planned for April 6, 2006.

The Rice Property office bid has come in above the construction budget.

As encouraged by the Board's Infrastructure Policy, staff recommended naming the Featherfin property the Featherfin Wildlife Management Area and naming the Cavalier tract and Dismal Swamp Wildlife Management Area the Cavalier Wildlife Management Area.

Mr. Davison moved, seconded by Mr. Hill, passed unanimously in a show of hands vote to name the Cavalier Tract the Cavalier Wildlife Management Area. Ayes: Davison, Hill, Railey, Montgomery, Burton, Crumley, Yates, and Stroup.

In response to a request received from the U. S. Fish and Wildlife Service to change the name of the Dismal Swamp Wildlife Management Area that is being confused with the Great Dismal Swamp Wildlife Refuge, **Mr. Montgomery moved, seconded by Mr. Railey, passed in a show of hands vote, that the Dismal Swamp Wildlife Management Area, located in the City of Chesapeake, be incorporated into the Cavalier Wildlife Management Area. Ayes: Montgomery, Railey, Burton, Crumley, Hill, Yates, and Stroup. Abstained: Davison.**

Mr. Davison moved, seconded by Mr. Hill, passed unanimously in a show of hands vote, to name the Featherfin property, located in Prince Edward, Appomattox and Buckingham Counties, the Featherfin Wildlife Management Area. Ayes: Davison, Hill, Montgomery, Railey, Burton, Crumley, Yates, and Stroup.

Mr. Adams presented an update to the Board on a request received at an earlier meeting from the Goodall family regarding the Goodall property. A meeting has been held with the family and its legal counsel to work to resolve issues. Staff did not recommend that the Board relinquish its management of the hunting and fishing easement for this property. The easement does not preclude the involvement of the Department of Forestry (DOF) or The Nature Conservancy (TNC) as long as public hunting and fishing rights are maintained. DGIF feels that it has the expertise to provide advice on all aspects of habitat management for wildlife and is willing to work with DOF and TNC to accomplish objectives. Additionally, the Highland County Commonwealth Attorney does not support the transfer of the DGIF easement and management of hunting and fishing rights to the property.

The Goodall family has issues with communication between the Department and the family, i.e., identifying the hunters and anglers that have permits for access. They feel the public do not respect the property and that local hunters are not parking in the appropriate area (identifying signage is being removed without the Department's permission). They have a concern for a lack of appropriate law enforcement, and feel too much emphasis is being placed on hunting (requested specific days for family use only). They requested that the property be used for preservation, wildlife viewing, research and educational opportunities, with limited public hunting. The Department has agreed to develop a master plan for the property, in harmony with the Goodall Family, DOF, TNC and the Commonwealth Attorney to develop public access and address identified issues. An oversight committee will assist with decision making for the property.

Adjournment: Ms. Crumley announced that the next meeting of the Board is April 25, 2006.

As there was no further business, the meeting was adjourned by the Chair at 4:10 p.m.

Respectfully submitted,

Belle Harding
Board Secretary